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8 AOL INC., CHARLES KESSLER &
ASSOCIATES, INC. and TRAVELZOO INC.

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12
13 THE WAVE STUDIO, LLC, a New York
Limited Liability Company,

14 Plaintiff,

15 v.
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17 AOL INC., a Delaware Corporation,
TRAVELZOO INC., a Delaware Corporation,
18 CHARLES KESSLER & ASSOCIATES,
INC., a Delaware Corporation, and DOES 1-
19 100,

20 Defendants.
21

CASE NO.: 3:15-CV-00814-SI

Honorable Susan Illston, Judge

**STIPULATION AND ORDER TO
TRANSFER CASE TO SOUTHERN
DISTRICT OF NEW YORK**

22
23 Plaintiff, The Wave Studio, LLC ("Plaintiff"), and Defendants AOL INC., a Delaware
24 Corporation, CHARLES KESSLER & ASSOCIATES, INC., and TRAVELZOO INC., a
25 Delaware Corporation (collectively "Defendants"), by and through their attorneys of record
26 hereby agree and stipulate as follows:

27 The Parties stipulate that the above-captioned proceeding shall be transferred to the
28 United States Court for the Southern District of New York. Defendants believes this case is

1 related to litigation currently pending before the Honorable Cathy Seibel, Judge of the
2 Southern District Court of New York, styled *The Wave Studio, LLC v. General Hotel*
3 *Management, et al.*, Case No. 7:13-CV-09239 (S.D.N.Y.) (the "GHM Action") and should
4 therefore be consolidated with the GHM Action. Plaintiff denies this action is related to the
5 GHM Action. The parties agree that the transfer stipulated here is without prejudice as to the
6 issue of consolidation with the GHM Action and that upon transfer to the Southern District
7 of New York; Defendants may seek to file a motion to consolidate this action with the GHM
8 Action.

9 THEREFORE, THE PARTIES HEREBY STIPULATE that this action be transferred
10 to the Southern District of New York.

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12 **IT IS SO STIPULATED.**

13
14 Dated: July 27, 2015

COBALT LLP

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16 BY: /s/ Vijay K. Toke

17 Vijay K. Toke, Esq.
18 Attorneys for Plaintiff

19 Dated: July 27, 2015

CLAUSEN MILLER PC

20
21
22 BY: 

23 G. Brent Sims, Esq.
24 Attorneys for Defendant
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ATTESTATION OF CONCURRENCE

I, G. Brent Sims, attest that I am one of the attorneys for Defendants AOL INC., TRAVELZOO INC., and CHARLES KESSLER & ASSOCIATES, INC., and as the ECF user and filer of this document, I attest that, pursuant to United States District Court, Northern District of California Civil L.R. 5-1(i)(3), concurrence in the filing of this document has been obtained from Vijay K. Toke, the above signatory.

Dated: July 27, 2015

BY: 

G. BRENT SIMS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Susan Illston, Judge
United States District Court,
Northern District of California

PROOF OF SERVICE

The Wave Studio, LLC v. AOL Inc., etc., et al.
U.S. District Court, Northern District of California, Case No: 3:15-CV-00814-SI

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 17901 Von Karman Avenue, Suite 650, Irvine, California 92614.

On July 27, 2015, I caused the following document(s) described as: **STIPULATION AND ORDER TO TRANSFER CASE TO SOUTHERN DISTRICT OF NEW YORK** to be served on the interested parties in this action as follows:

Nate A. Garhart, Esq.
Vijay K. Toke, Esq.
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Attorneys for Plaintiff
THE WAVE STUDIO, LLC

☒ **BY E-FILING** - I caused to be served via e-mail to the Clerk of Court using the CM/ECF system which sent notification of such filing to the above-referenced parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 27, 2015, at Irvine, California.


Mary Lynn Genova

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